

5th March 1965]

[Note.—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

## II.—PRIVILEGE MATTER *re* ARREST AND DETENTION OF SRI M. KARUNANTHI, M.L.A.

MR. SPEAKER : I have received notice of a Privilege Motion from the hon. Member Sri S. Madhavan in regard to the arrest and detention of Sri M. Karunanithi, M.L.A., which reads as follows :—

“ The Hon. Member Mr. M. Karunanithi has been arrested and detained in jail under the Defence of India Rules. The Government with mala fide intention to prevent an active member like Mr. Karunanithi from participating in the Assembly proceedings and thus to prevent him from exposing the Government's inefficient handling of the recent anti-Hindi agitation, has caused his arrest and detention. The Government maliciously detained him under the Defence of India Rules in order to take away his right to move a Court of Law and get him enlarged on bail to attend this House. This will amount to a breach of privilege of that Hon. Member to participate in the proceedings of this House ”.

Sri S. Madhavan has also given a supplementary notice stating that the reasons for the arrest, and detention of Sri M. Karunanithi were not communicated to this House and that would amount to a breach of privilege.

It has been more than once decided that every Member of this House is subject to the ordinary law and if he has done anything which necessitated his arrest, he can be arrested, and such arrest will not involve any breach of privilege. Again, the arrest of a Member, in order to effect preventive detention, is lawful, and therefore, does not constitute a breach of privilege.

The only requirement is that intimation of arrest and detention of a Member must be sent to me and this has been done in this case.

Regarding the supplementary notice, in the intimation given to me by the Commissioner of Police, he has stated that under the powers conferred by clause (b) of sub-rules (1) and (4) of rule 30 of the Defence of India Rules, 1962. Mr. Karunanithi has been arrested and detained in order to prevent him from acting in any manner prejudicial to public safety and maintenance of public order. I went through this rule and found that this had been mentioned there. Therefore, the reasons have also been communicated to me. Hence, I rule that this will not constitute a breach of privilege.

## III.—CALLING ATTENTION TO THE ACTION OF THE POLICE DURING THE ANTI-HINDI AGITATION.

திரு. இரா. நெடுஞ்செழியன் } கனம் அன்வத் தலைவர் அவர்  
திரு. மீ. கலியாணசுந்தரம் : }  
கனே, 1965-ம் ஆண்டு ஜனவரி மாதம் இறுதி வாரத்தில் பல்வேறு  
மாணவர் விடுதிகளைச் சேர்ந்த மாணவர்களுக்கு எதிராகவும்,  
அண்ணாமலை நகர் பல்கலைக்கழக எல்லைக்கு உட்பட்ட இடத்திலும்